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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/507,263	09/10/2004	Katsuyuki Totsu	275A 3604 PCT	4823

3713 7590 03/07/2006

KODA & ANDROLIA
2029 CENTURY PARK EAST
SUITE 1140
LOS ANGELES, CA 90067

EXAMINER

SCRUGGS, ROBERT J

ART UNIT	PAPER NUMBER
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3723

DATE MAILED: 03/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/507,263

Applicant(s)

TOTSU, KATSUYUKI

Examiner

Robert Scruggs

Art Unit

3723

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 and 8-13 is/are pending in the application.
- 4a) Of the above claim(s) 6 and 7 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 8-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 September 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 02-066806 and 02-142770.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 9/10/04.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

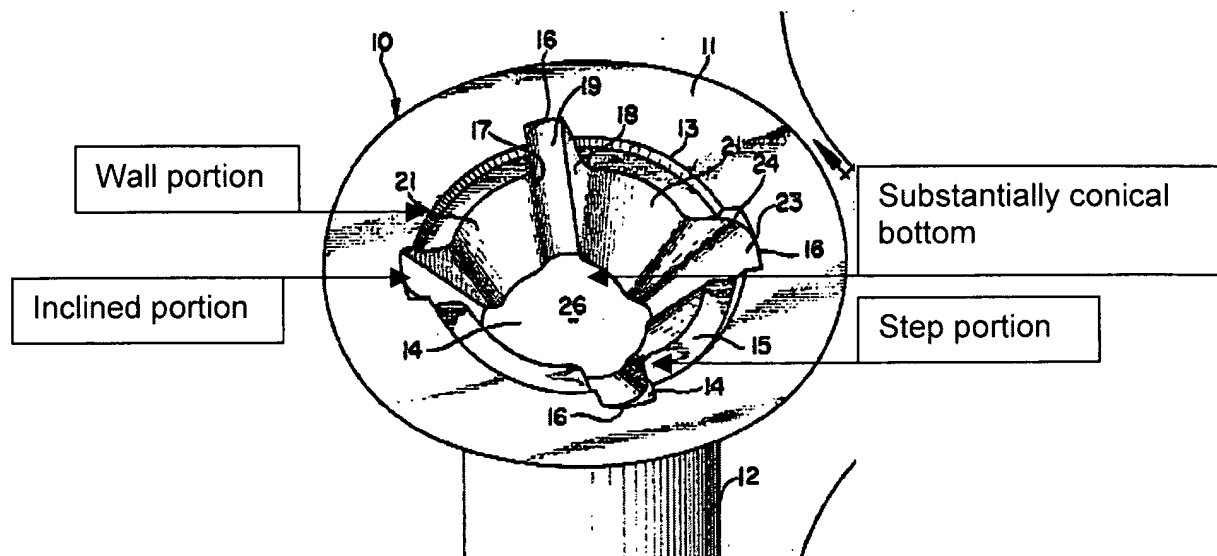
Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 4, 5 and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Gutshall (4202244). Gutshall discloses a tamperproof screw comprising, bit engaging grooves formed in a pan shape screw head (Figure 3), inclined portions (See Figure Below) that have a specified angle of inclination and are formed toward a central portion of a neck portion of said screw from open end edge portions of said bit engaging grooves, step portions that are respectively substantially perpendicular in cross section and are formed in intermediate point of said inclined portions with wall portions that are recessed in a shape of a substantially shallow V inward from a vertical plane over a predetermined depth and a substantially conical bottom surface formed in the central portion where said inclined portions meet; said tamperproof screw being characterized in that an inverted truncated cone shape hole portion that reaches said bottom surface is formed as a continuation except for said step portions of said inclined portions so that said open end edge portions of said bit engaging grooves take a maximum diameter of said inverted truncated cone shape hole portion.



Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 3, is rejected under 35 U.S.C. 103(a) as being unpatentable over Gutshall (4202244), in view of Sudo et al. (5765980). Gutshall discloses the claimed invention previously mentioned above, but lacks, bit engaging grooves having an angle of inclination substantially 20 to 30 degrees with respect to an axis of a screw. However, Sudo et al. discloses a tamperproof screw having bit engaging grooves having an angle of inclination substantially 20-30 degrees with respect to an axis of a screw (Figure 4c). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the bit engaging grooves of Gutshall, with bit engaging grooves

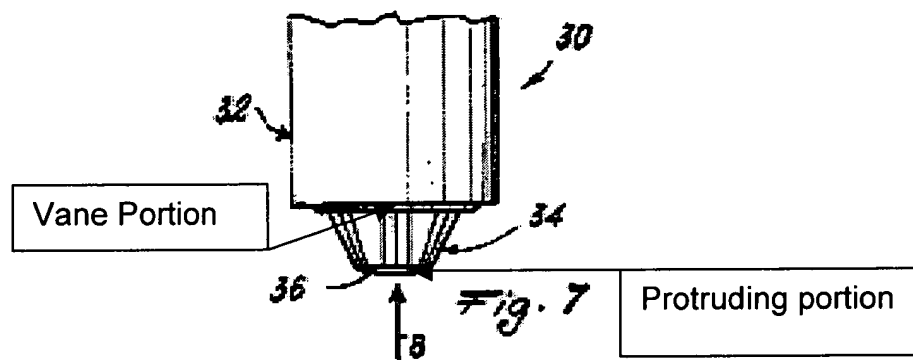
having an angle of inclination substantially 20-30 degrees, in view of Sudo et al. in order to provide a screw that is preventative against loosening by a regular or unusual tool.

5. Claims 2, and 9-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gutshall (4202244), in view of Sala (5641258). Gutshall discloses the claimed invention previously mentioned above, but lacks, a projection portion formed so as to protrude from a central portion of a bottom surface extending above step portions. However, Sala discloses a screw head having a projection portion (Figure 6) (73) formed so as to protrude from a central portion of a bottom surface and which can extend to any desired length (i.e. extending above step portions) (Column 4, Lines 18-30), It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the screw of Gutshall, with a projection portion formed so as to protrude from a central portion of a bottom surface extending above step portions, in view of Sala, in order to provide a more secured screw which can only be unscrewed with a specific screwing tool.

6. Regarding claims 9-11, Gutshall discloses the claimed invention previously mentioned above, but lacks, a screwdriver bit having vane portions, a protruding portion formed with an angle of inclination substantially 20-30 degrees and a hollow space formed in the center of said protruding portion. However, Sudo et al. teaches of having screws having various angles of inclination ranging from 20-30 degrees, furthermore, it would be obvious that the screwdriver bit pertaining to the screw with an angle of inclination of 20-30 degrees would also inherently have an angle of inclination substantially 20-30 degrees. In addition, Sala discloses a screwdriver bit (Figure 7) (30)

Art Unit: 3723

having vane portions substantially perpendicular end portions (See Figure Below) and a protruding portion including a hollow space (Column 4, Lines 22-26) formed in the center of the protruding portion. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the screwdriver bit of Gutshall, with a screwdriver bit having vane portions, a protruding portion formed with an angle of inclination substantially 20-30 degrees and a hollow space formed in the center of said protruding portion, in view of Sudo et al. and Sala, in order to provide a tool that can easily and effectively remove the more secured screw previously mentioned above.



7. Regarding claims 12 and 13, the header punch used for manufacturing the screw of Gutshall, taken in view of the header punch used in manufacturing the screw of Sala, would inherently include projecting portions which have substantially perpendicular end edge portions and form perpendicular or recessed wall portions and step portions in end edge portion of bit engaging grooves in a screw head, a conical projecting portion which forms an inverted truncated cone shape hole portion and inclined portions in a central portion of said bit engaging grooves and to form a substantially conical bottom surface, and a cavity portion which is formed in a center of a tip end of said conical projecting

Art Unit: 3723

portion and forms a projecting portion. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the header punch of Gutshall, with the header punch having a cavity portion formed in a center of a tip end of a conical projecting portion for forming a projecting portion of Sala, in order to provide a more versatile header punch that is cheaper to make.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Clark (2400684) discloses a screw and screwdriver bit where a screw has a truncated cone shape and includes step portions formed at an intermediate portion of inclined portions.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert Scruggs whose telephone number is 571-272-8682. The examiner can normally be reached on Monday-Friday, 8:30-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Hail can be reached on 571-272-4485. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3723

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



DAVID B. THOMAS
PRIMARY EXAMINER

RS